

To: O'Lone, Mary[olone.mary@epa.gov]; Dorka, Lilian[Dorka.Lilian@epa.gov]
Cc: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
Sent: Fri 3/6/2015 2:29:42 PM
Subject: RE: Updated draft of REACH RFI

I got 2-3 on Velveta's calendar to update her on the RFI and email. We probably won't need the entire hour

From: O'Lone, Mary
Sent: Friday, March 06, 2015 9:10 AM
To: Matthew, Dayna; Dorka, Lilian
Cc: Wooden-Aguilar, Helena
Subject: Re: Updated draft of REACH RFI

Will is out & his email says he won't be in until Monday.

I have no idea if he checks his emails when he isn't working.

So, we may not get his read on whether sending the RFI is a plus or minus for ADR convening until Monday.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Matthew, Dayna
Sent: Friday, March 6, 2015 8:21 AM
To: O'Lone, Mary; Dorka, Lilian
Cc: Wooden-Aguilar, Helena; Rhodes, Julia; Moffa, Anthony; Packard, Elise

Subject: RE: Updated draft of REACH RFI

So very helpful, Mary –

Our emails crossed in cyberspace. I'd like to hold a REACH meeting today and go over your list. I'm about to send an invite.

Thanks

Dayna

From: O'Lone, Mary

Sent: Friday, March 06, 2015 8:20 AM

To: Matthew, Dayna; Dorka, Lilian

Cc: Wooden-Aguilar, Helena; Rhodes, Julia; Moffa, Anthony; Packard, Elise

Subject: Re: Updated draft of REACH RFI

Just trying to get a grip on where we stand -

NC DENR email. All of us are good with the NC DENR email language & Velveta has the most recent version to send out.

RFI. The attached version is clean & incorporates Lilian's last round of edits. All of us are good with the RFI. The next step would be to forward it to Velveta.

Since Helena is out, I will try to touch base with Will & if he is in today, get his read on whether he recommends we hold off on the RFI b/c NC DENR is so close to signing on for ADR.

Dayna will you be forwarding it to V? If so, I guess say we are checking with Will for his thoughts.

I am working from home if V or anyone else has any questions about the RFI. Also, my email below provides the general reasoning behind the content of the request. Thanks, Mary.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Matthew, Dayna

Sent: Thursday, March 5, 2015 7:09 PM

To: Dorka, Lilian

Cc: O'Lone, Mary; Wooden-Aguilar, Helena; Rhodes, Julia; Moffa, Anthony; Packard, Elise

Subject: Re: Updated draft of REACH RFI

My comments have been incorporated thanks to Mary's earlier edits and I think this is way to go if it hasn't already gone.

Dayna

Sent from my iPhone

On Mar 5, 2015, at 6:11 PM, Dorka, Lilian <Dorka.Lilian@epa.gov> wrote:

Hi Mary - thanks for trying to simplify the language and relating more to the discrimination . I made a couple of edits but I think folks may want even more - not sure anymore though. I think at this point we should just leave with these changes and when we share it folks will have a chance to comment. We should talk about next steps on this. Are we so close to sealing the ADR that we hold on

this? I think we ask Will tomorrow once we finalize the email to DENR.

Dayna, did you review/have anything else? I think Velveta is waiting for any comments you have. She may not realize you already commented on the email?

From: O'Lone, Mary
Sent: Tuesday, March 3, 2015 6:35 PM
To: Dorka, Lilian; Wooden-Aguilar, Helena; Matthew, Dayna
Cc: Rhodes, Julia; Moffa, Anthony; Packard, Elise
Subject: Updated draft of REACH RFI

Lilian –

Ex. 5 - Atty Client/Deliberative Process

Ex. 5 - Atty Client/Deliberative Process

I hope all this helps. See you tomorrow. A lot.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

<REACH RFI 3 3 2015 (Dorka, Lilian).docx>

To: Matthew, Dayna[Matthew.Dayna@epa.gov]
From: Matthew, Dayna
Sent: Fri 2/27/2015 4:32:59 AM
Subject: FW: REACH BRIEFING
REACH RESOURCE NOTEBOOK.docx

From: Matthew, Dayna
Sent: Thursday, February 26, 2015 11:30 PM
To: Golightly-Howell, Velveta
Subject: REACH BRIEFING
Importance: High

Velveta,

I've asked Ms. Whickum and Mr. Pernell to please copy the Reach Resource Binder I've made for your use. I am attaching a document containing the following in case you would like to review before our briefing tomorrow.

1. Table of Contents
2. Summary of the Complaint
3. Talking Points to Place Case in Title VI Protocol

If there is any mix-up on the copying, you may simply use the binder I have put together and we will insert a title page with your name on it that I've already prepared.

Best,

Dayna

Dayna Bowen Matthew

Senior Advisor to Director Office of Civil Rights

Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Room 2524B

Washington, D.C. 20460

Tel: 202-564-9621

To: O'Lone, Mary[olone.mary@epa.gov]
From: Matthew, Dayna
Sent: Wed 2/25/2015 6:58:01 PM
Subject: RE: EPA-DOJ CAFO meeting tomorrow

Got it. Thanks

From: O'Lone, Mary
Sent: Wednesday, February 25, 2015 1:53 PM
To: Matthew, Dayna
Subject: Re: EPA-DOJ CAFO meeting tomorrow

typing one-handed that is why terse..

I would communicate the progress in email cancelling.

No re: DOJ in our internal mtg. that is our time.

the mtg. ryan talking abt is schedule for every other week as needed.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Matthew, Dayna
Sent: Wednesday, February 25, 2015 1:21 PM
To: O'Lone, Mary
Subject: RE: EPA-DOJ CAFO meeting tomorrow

For my part, I wouldn't cancel because progress has been made. Good to communicate that. However, going forward I would not hold a separate meeting with Ryan. Can he be incorporated into the Wed weekly REACH meeting?

From: O'Lone, Mary
Sent: Wednesday, February 25, 2015 10:25 AM
To: Wooden-Aguilar, Helena; Dorka, Lilian; Matthew, Dayna
Subject: Fw: EPA-DOJ CAFO meeting tomorrow

What would you all like to do?

I am inclined to cancel & tell him we are still waiting on word from NC DENR & Earthjustice about ADR & that in the meanwhile we are shooting to get the RFI out by COB Friday & we'll send them a copy of the final.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Fitzpatrick, Ryan (CRT) <Ryan.Fitzpatrick2@usdoj.gov>
Sent: Wednesday, February 25, 2015 10:18 AM
To: O'Lone, Mary
Subject: EPA-DOJ CAFO meeting tomorrow

Good morning Mary,

Are we still on to meet tomorrow? We would all love to talk about next steps and the progress that has been made in the last week or so.

Thanks,

Ryan

Ryan N. Fitzpatrick

Presidential Management Fellow Program Analyst

Federal Coordination and Compliance Section

Civil Rights Division

U.S. Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

(202) 353-4084

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Sign up for our Title VI Newsletter, and read the [Fall 2014 Issue](#)

To: O'Lone, Mary[olone.mary@epa.gov]
From: Matthew, Dayna
Sent: Wed 2/25/2015 6:21:27 PM
Subject: RE: EPA-DOJ CAFO meeting tomorrow

For my part, I wouldn't cancel because progress has been made. Good to communicate that. However, going forward I would not hold a separate meeting with Ryan. Can he be incorporated into the Wed weekly REACH meeting?

From: O'Lone, Mary
Sent: Wednesday, February 25, 2015 10:25 AM
To: Wooden-Aguilar, Helena; Dorka, Lilian; Matthew, Dayna
Subject: Fw: EPA-DOJ CAFO meeting tomorrow

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Sent: Wednesday, February 25, 2015 10:18 AM
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Thanks,

Ryan

Ryan N. Fitzpatrick

Presidential Management Fellow Program Analyst

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Washington, DC 20530

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To: dayna.matthew@colorado.edu[dayna.matthew@colorado.edu]
From: Matthew, Dayna
Sent: Fri 2/6/2015 1:49:09 PM
Subject: Fwd: REACH Preliminary Case Management Plan
REACH prelim case management plan 2.5.15.docx
ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "O'Lone, Mary" <OLone.Mary@epa.gov>
Date: February 5, 2015 at 6:07:30 PM EST
To: "Matthew, Dayna" <Matthew.Dayna@epa.gov>, "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>, "Dorka, Lilian" <Dorka.Lilian@epa.gov>, "Golightly-Howell, Velveta" <Golightly-Howell.Velveta@epa.gov>
Cc: "Rhodes, Julia" <Rhodes.Julia@epa.gov>, "Packard, Elise" <Packard.Elise@epa.gov>, "Moffa, Anthony" <Moffa.Anthony@epa.gov>
Subject: REACH Preliminary Case Management Plan

Dayna-

I have changed the title of the document to a Preliminary Case Management Plan. I have not put 90 days in the title as Ethan agreed with CRFLO concerns (which you & I have discussed previously) that arbitrary numbers often take on a life of their own & are probably not a good idea in a process that has so many variables & potential time sinks that can make achieving those timeframes impossible. The more we call it a 90 day plan the more likely it is that someone is going to turn around in 90 days & hold us accountable for not completing all of the "other than investigation" pathways.

Also, as we discussed on the phone – I changed Dismissal Pathway to Administrative Closure Pathway per Lilian's great catch.

Also, you will see that the box for whether NC DENR is a recipient of other federal funding is not checked. I sent an email to Jeryl & Ericka today asking if they could research that & give us the answer. I have not heard yet, but perhaps you will by tomorrow. I am out tomorrow but will check in with you on Monday.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

To: O'Lone, Mary[o'lonc.mary@epa.gov]
From: Matthew, Dayna
Sent: Mon 3/30/2015 12:07:55 PM
Subject: RE: REACH - March 6th as the date the 180 clock was tolled.

Very good plan. How do we "institutionalize" the criteria used?

From: O'Lone, Mary
Sent: Monday, March 30, 2015 7:47 AM
To: Matthew, Dayna
Subject: Re: REACH - March 6th as the date the 180 clock was tolled.

I am not positive b/c she said it in response to Anthony's email which was early in the bidding. But she said "the earlier date" and it should apply in future.

I do think the March 6th one is the one to use, Will is all for it, & we have a definition/criteria for it.

I was thinking if we want to make sure NC DENR & Earthjustice are clear OCR writes a short email or letter that acknowledges that they selected the mediator and wishing them well & oh, by the way as it says on the website, we tolled the clock on March 6th and have put the investigation on hold.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Matthew, Dayna
Sent: Monday, March 30, 2015 7:32 AM
To: O'Lone, Mary
Subject: RE: REACH - March 6th as the date the 180 clock was tolled.

Mary,

What outcome on this?

D

From: O'Lone, Mary
Sent: Friday, March 27, 2015 5:26 PM
To: Dorka, Lilian
Cc: Golightly-Howell, Velveta; Wooden-Aguilar, Helena; Matthew, Dayna; Rhodes, Julia; Covington, Jeryl; Farrell, Ericka; Moffa, Anthony; Hall, William
Subject: RE: REACH - March 6th as the date the 180 clock was tolled.

So now you have 3 dates you are considering:

March 6th, a date a few days after March 6th (my earlier argument), and March 24th.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Dorka, Lilian
Sent: Friday, March 27, 2015 5:24 PM
To: O'Lone, Mary

Cc: Golightly-Howell, Velveta; Wooden-Aguilar, Helena; Matthew, Dayna; Rhodes, Julia; Covington, Jeryl; Farrell, Ericka; Moffa, Anthony; Hall, William
Subject: Re: REACH - March 6th as the date the 180 clock was tolled.

Great! Thanks so much Mary!

Sent from my iPhone

On Mar 27, 2015, at 4:25 PM, O'Lone, Mary <o'lonemary@epa.gov> wrote:

We in OGC are all about providing our client's defensible options.

Ex. 5 - Atty Client/Deliberative Process

Have a good weekend. Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Hall, William

Sent: Friday, March 27, 2015 11:29 AM

To: O'Lone, Mary

Subject: RE: Questions about dates

I understand that you're wanting to put a date on the start of the convening process. OCR's emails to the complainants and recipient indicating that OCR had asked me to contact them went out on March 6. I would consider that the start of the convening process.

Will

William E. Hall, Ph.D.

Conflict Prevention and Resolution Center

U.S. Environmental Protection Agency

"Making Agreement Easier" | (202) 564-0214

<http://intranet.epa.gov/adr> or <http://www.epa.gov/adr>

From: O'Lone, Mary

Sent: Thursday, March 26, 2015 12:00 PM
To: Hall, William
Subject: Questions about dates

Will-

You had your first solo follow up with NC DENR on what date?

And the date when you had your first solo follow-up call with Earthjustice?

I am trying to nail down when "convening" was underway.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

To: O'Lone, Mary[o'lonemary@epa.gov]
From: Matthew, Dayna
Sent: Mon 3/30/2015 11:32:41 AM
Subject: RE: REACH - March 6th as the date the 180 clock was tolled.

Mary,

What outcome on this?

D

From: O'Lone, Mary
Sent: Friday, March 27, 2015 5:26 PM
To: Dorka, Lilian
Cc: Golightly-Howell, Velveta; Wooden-Aguilar, Helena; Matthew, Dayna; Rhodes, Julia; Covington, Jeryl; Farrell, Ericka; Moffa, Anthony; Hall, William
Subject: RE: REACH - March 6th as the date the 180 clock was tolled.

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Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

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Sent: Friday, March 27, 2015 5:24 PM

To: O'Lone, Mary

Cc: Golightly-Howell, Velveta; Wooden-Aguilar, Helena; Matthew, Dayna; Rhodes, Julia; Covington, Jeryl; Farrell, Ericka; Moffa, Anthony; Hall, William

Subject: Re: REACH - March 6th as the date the 180 clock was tolled.

Great! Thanks so much Mary!

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On Mar 27, 2015, at 4:25 PM, O'Lone, Mary <o'lone.mary@epa.gov> wrote:

We in OGC are all about providing our client's defensible options.

Ex. 5 - Atty Client/Deliberative Process

Ex. 5 - Atty Client/Deliberative Process

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Sent: Friday, March 27, 2015 11:29 AM

To: O'Lone, Mary

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William E. Hall, Ph.D.
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U.S. Environmental Protection Agency
"Making Agreement Easier" | (202) 564-0214

<http://intranet.epa.gov/adr> or <http://www.epa.gov/adr>

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To: Hall, William
Subject: Questions about dates

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Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

To: Dayna Bowen Matthew[Dayna.Matthew@Colorado.EDU]
From: Matthew, Dayna
Sent: Wed 3/25/2015 8:54:08 PM
Subject: FW: 90 day plan
APPROVED REACH prelim case management plan Dayna to Gwen 2 5 15.docx

-----Original Message-----

From: Matthew, Dayna
Sent: Wednesday, March 25, 2015 9:19 AM
To: Wooden-Aguilar, Helena; Covington, Jeryl; Farrell, Ericka
Cc: O'Lone, Mary; Moffa, Anthony; Dorka, Lilian; Golightly-Howell, Velveta
Subject: RE: 90 day plan

All,

Thanks to Helena for outlining a clear agenda for us for today's meeting - I look forward. Here is the 90-day Plan.

Dayna

Dayna Bowen Matthew
Senior Advisor to Director Office of Civil Rights Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 2524B
Washington, D.C. 20460
Tel: 202-564-9621

-----Original Message-----

From: Wooden-Aguilar, Helena
Sent: Wednesday, March 25, 2015 8:40 AM
To: Covington, Jeryl; Farrell, Ericka; Matthew, Dayna
Cc: O'Lone, Mary; Moffa, Anthony; Dorka, Lilian
Subject: 90 day plan

All-

Can we begin to circulate the most updated 90 day plan to everyone so we can all see where we are?

Dayna or Ericka - can you share the most recent version? I have no idea what it looks like and I need to have this info to keep my management updated.

At today's meeting I would also like to discuss roles and responsibilities of the case team. It is critical that there is no confusion on this point as there are lots of moving parts.

So my proposed agenda is as following:

1. Discuss and Update on 90 day plan

* adm closures checklist

- * ADR
- * update DOJ

2. Role and Responsibilities of case team
3. Engagement with key offices on gathering info
4. Sharepoint Site
5. Next steps

Let me know if you have any additions.

Helena

Helena Wooden-Aguilar
Assistant Director
External Civil Rights - US EPA
202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

To: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; O'Lone, Mary[olone.mary@epa.gov]
Cc: Martinez, Brittany[Martinez.Brittany@epa.gov]
From: Matthew, Dayna
Sent: Fri 3/6/2015 8:14:35 PM
Subject: RE: Clarification Letters

Mary,

Does Erika have the last email from Marianne to Helena stating what her questions are? I can help Erika draft Helena's response to the Complainants if she does. If she doesn't, would you send pls?

Dayna

From: Wooden-Aguilar, Helena
Sent: Friday, March 06, 2015 2:56 PM
To: Matthew, Dayna
Cc: Farrell, Ericka; Martinez, Brittany; O'Lone, Mary
Subject: Re: Clarification Letters

Right but sounds like you have it together

If Velveta sends a note to the state do I have a message for the complainants? Can Ericka draft one so I can send today?

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Mar 6, 2015, at 2:54 PM, "Matthew, Dayna" <Matthew.Dayna@epa.gov> wrote:

I am gathering (only now) that means we should have had Brittany meet on REACH today, right?

D

From: Wooden-Aguilar, Helena
Sent: Friday, March 06, 2015 2:41 PM
To: Farrell, Ericka
Cc: Matthew, Dayna; Martinez, Brittany; O'Lone, Mary
Subject: Re: Clarification Letters

FYI Brittany is acting.

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Mar 6, 2015, at 2:36 PM, "Farrell, Ericka" <Farrell.Ericka@epa.gov> wrote:

Good Afternoon Helena,

Per the meeting today it was requested I forward the draft letters so Velveta can sign

off on these letters today before she leaves since she and Lillian will be out of the office next week.

Ericka Farrell

Office of Civil Rights

External Complaints & Resolution

2025640717

<11R-14-R4 Clarification to complainant 03032015.docx>

<11R-14-R4 Clarification 03032015.docx>